



CITY OF LODI

COUNCIL COMMUNICATION

AGENDA TITLE: Consider an Amendment to the Refuse Franchise Agreement to Provide for Addition of Industrial Refuse Service

MEETING DATE: February 20, 1991

PREPARED BY: City Manager

RECOMMENDED ACTION: That the City Council conduct a public hearing to receive input regarding consideration of an amendment to the Refuse Franchise Agreement to provide for the addition to the agreement of industrial customers and take action as deemed appropriate.

BACKGROUND INFORMATION: At its work study ("Shirtsleeve") session of February 5, 1991, the City Council heard a presentation regarding the City's efforts to comply with the requirements of Assembly Bill 939 which addresses solid waste management and recycling. At that session Council also heard a staff recommendation to consider bringing all industrial customers under the terms and conditions of the Refuse Franchise Agreement. This step is necessary to insure that the City has 100% control of the waste stream to enable the City to meet the 25% reduction in material taken to the Harney Lane Sanitary Landfill by 1995, and 50% by the year 2000. A copy of Ordinance No. 1508 implementing this change is attached (Exhibit A).

Depending on the City Council's decision, an appropriate industrial rate schedule will be presented for adoption.

The staff will be prepared to answer questions.

FUNDING: None required

Respectfully submitted,

Thomas A. Peterson
City Manager

TAP:br
Attachment

CCCOM139

APPROVED: _____

THOMAS A. PETERSON
City Manager



ORDINANCE NO. 1508

AN ORDINANCE OF THE LODI CITY COUNCIL AMENDING LODI MUNICIPAL CODE
CHAPTER 13.16 - SOLID WASTE - TO PROVIDE FOR THE ADDITION OF
INDUSTRIAL REFUSE SERVICE.

BE IT ORDAINED BY THE LODI CITY COUNCIL, as follows:

Lodi Municipal Code Chapter 13.16 - Solid Waste - is hereby amended to provide for the addition thereto of industrial refuse service, as follows:

13.16.020. Required Services: Exceptions.

- A. "Every person owning or occupying residential, commercial or industrial premises within the City limits shall utilize the refuse collection and transportation services of Contractor for which the City has contracted, and shall pay the fees for those services as set by the City. Each owner or occupier of residential, commercial or industrial property shall directly arrange with the City for the provision of services. ..."

13.16.040. All Requests for Service to be Met.

"Contractor shall provide refuse collection and transportation services to all residential, commercial and industrial customers within the area specified in its contract. ..."

13.16.050. Placement of Containers.

- A. "... B. Commercial and Industrial:

"Commercial and industrial customers shall place refuse in a location on their premises that is readily accessible to

Contractor's collection vehicles, and that has received Contractor's prior approval as conforming to its specifications and requirements for refuse container facilities. ..."

13.16.080. Container Maintenance.

"... It shall be the responsibility of commercial and industrial customers to maintain refuse containers in a clean and sanitary condition, ... "

13.16.120 Monthly Rates.

"The City shall establish by uncodified ordinance of the City Council, pursuant to Health and Safety Code § 5471, a schedule of rates to be charged ... Such schedule shall set the rates for commercial, residential, and industrial refuse collection, and refuse permits."

SECTION 2. All ordinances and parts of ordinances in conflict herewith are repealed insofar as such conflict may exist.

SECTION 3. This ordinance shall be published one time in the "Lodi News Sentinel", a daily newspaper of general circulation printed and published in the City of Lodi and shall be in force and take effect thirty days from and after its passage and approval.

Approved this day of

DAVID M. HINCHMAN
Mayor

Attest:

ALICE M. REIMCHE
City Clerk

State of California
County of San Joaquin, ss.

I, Alice M. Reimche, City Clerk of the City of Lodi, do hereby certify that Ordinance No. 1508 was introduced at a regular meeting of the City Council of the City of Lodi held February 20, 1991, and was thereafter passed, adopted and ordered to print at a regular meeting of said Council held _____ by the following vote:

Ayes:	Council Members -
Noes:	Council Members -
Absent:	Council Members -
Abstain:	Council Members -

I further certify that Ordinance No. 1508 was approved and signed by the Mayor on the date of its passage and the same has been published pursuant to law.

ALICE M. REIMCHE
City Clerk

Approved as to Form

BOBBY W. McNATT
City Attorney

ORD1508/TXTA.01V



CITY OF LODI

CARNEGIE FORUM
305 West Pine Street, Lodi

NOTICE OF PUBLIC HEARING

Date: February 20, 1991

Time: 7:30 p.m.

For information regarding this Public Hearing
Please Contact:

Alice M. Reimche
City Clerk

Telephone: 333-6702

NOTICE OF PUBLIC HEARING February 20, 1991

NOTICE IS HEREBY GIVEN that on Wednesday, at the hour of 7:30 p.m., or as soon thereafter as the matter may be heard, the City Council will conduct a public hearing to consider the following matter:

- a) to consider an amendment to the refuse franchise agreement to provide for addition of industrial refuse service.

The requirements of Assembly Bill 939 relating to solid waste disposal and recycling imposed on the City of Lodi point to a need to review the City's refuse franchise agreement as it relates, or more appropriately does not relate, to the industrial community. At the present time, industrial firms are not covered by the terms and conditions of the franchise agreement.

Information regarding this item may be obtained in the office of the Community Development Director at 221 West Pine Street, Lodi, California. All interested persons are invited to present their views and comments on this matter. Written statements may be filed with the City Clerk at any time prior to the hearing scheduled herein, and oral statements may be made at said hearing.

If you challenge the subject matter in court, you may be limited to raising only those issues you or someone else raised at the Public Hearing described in this notice or in written correspondence delivered to the City Clerk, 221 West Pine Street, at or prior to the Public Hearing.

By Order Of the Lodi City Council:

Alice M. Reimche
City Clerk

Dated: February 6, 1991

Approved as to form:

Bobby W. McNatt
City Attorney